



In the Matter of:

HOWARD LUDWIG, JR.

Date Issued: JUN 02 1989

Employer.

Case No.: 89-TLC-2

ORDER OF DISMISSAL

This matter arises pursuant to Section 212(a)(14) of the Immigration and Nationality Act, 8 U.S.C. 1101, et seq. The regulations promulgated thereunder by the Secretary of Labor relating to the processing of temporary labor certification applications are set forth at 20 C.F.R. Section 655 et seq.

Howard Ludwig, Jr. timely requested a de novo review before an administrative law judge of the April 20, 1989 decision of the Regional Administrator, Employment and Training Administration, U.S. Department of Labor, Chicago, Illinois, which denied his application for temporary alien labor certification for six job opportunities. The Regional Administrator submitted a certified copy of the case file to this office and, pursuant to the Employer's request, a formal hearing was scheduled to commence at Chicago, Illinois on May 10, 1989.

On May 9, 1989, I received notification by telephone from the Solicitor, Frank Buckley, that the parties had reached an agreement in this case. This was confirmed by Counsel for the Employer. Consequently, the hearing was canceled by agreement. A Joint Stipulation of Dismissal was received by this office on June 1, 1989. In this document, signed by counsel for both parties, the parties stipulated that:

1. The Certifying Officer will grant certifications for the six job opportunities in question.
2. The Employer and the U.S. Department of Labor agree to bear their own costs and fees in connection with any stage of this proceeding.
3. The Employer withdraws its request for a de novo hearing in this matter and the case may be dismissed with prejudice.

Consequently, IT IS HEREBY ORDERED that upon joint motion of both parties, the request by Howard Ludwig, Jr. for administrative review of the Regional Administrator's decision dated April 20, 1989 is DISMISSED with prejudice.

ROBERT L. COX
Administrative Law Judge